

### **REMARKS/ARGUMENT**

Claims 15-21 stand allowed.

Claims 2-13 and 23-31 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in the Office Action dated December 24, 2003. By this amendment Claims 2 & 23 have been amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph. As a result, Claims 2-13 and 23-31 stand allowable.

Claims 1, 14 and 22 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kumar et al US Patent No. 6,097,954. Applicants have amended Claims 1, 14 and 22 to overcome the Kumar reference, as set forth below.

In order that the rejection of any of Claims 1, 14 and 22 be sustainable, it is fundamental that "each and every element as set forth in the claim be found, either expressly or inherently described, in a single prior art reference." Verdegall Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also, Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), where the court states, "The identical invention must be shown in as complete detail as is contained in the ... claim".

Furthermore, "all words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

Independent Claim 1, requires and positively recites, in a spread spectrum communications integrated circuit receiver supplying combiner channel assignments for a plurality of demodulated information channels in a sample stream, a system comprising:

“a plurality of demodulating fingers” and “wherein each demodulating finger has an input to accept a sample stream, **an input to accept an uncovering code**, an output to supply soft symbols associated with demodulated information channels, and an output to supply combiner channel assignments for associated soft symbols”.

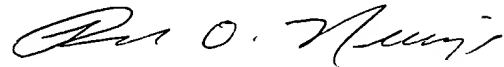
Independent Claim 14 requires and positively recites, in a spread spectrum communications demodulating finger integrated circuit to supply combiner channel assignments for a plurality of demodulated information channels in a sample stream, the demodulating finger comprising: “an input to accept a sample stream”, “**an input to accept an uncovering code**”, “an output to supply soft symbols from demodulated information channels” and “an output to supply combiner channel assignments for the soft symbols”.

Independent Claim 22 requires and positively recites, in a spread spectrum communications integrated circuit receiver, a method for supplying combiner channel assignments for a plurality of demodulated information channels in a sample stream, the method comprising: “accepting a sample stream”, “**accepting an uncovering code**”, “demodulating information channels in the sample stream” and “supplying combiner channel assignments with the soft symbols of the demodulated information channels”.

In contrast, Figure 4 of Kumar clearly shows that there is no “**input to accept an uncovering code**”, as required by Claims 1 and 14, as amended. Similarly, there is no teaching or suggestion in Kumar for “**accepting an uncovering code**”, as required by Claim 22, as amended. Accordingly, the 35 U.S.C. 102(e) rejection of Claims 1, 14 and 22 over Kumar are overcome.

Claims 15-21 stand allowed and 1-14 and 23-31 stand allowable. Accordingly,  
Applicants respectfully request allowance of the application as the earliest possible date.

Respectfully submitted,



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